

Appl. No. 10/053,089  
Amend. dated June 13, 2006  
Reply to Office Action of February 22, 2006

Atty. Ref. 81800.0178  
Customer No. 26021

**Remarks/Arguments**

Reconsideration of this application is requested.

**RCE and Extension of Time**

In response to the final Office Action mailed on February 22, 2006, requests for continued examination (RCE) and a one month extension of the period for response to the final office action mailed on February 22, 2006 are enclosed. The extended period for response expires on June 22, 2006.

**Claim Status**

Claims 1-20 are pending. Claims 1, 2, 5-11 and 14-19 are amended.

**Claim Rejections – 35 USC 103(a)**

Claims 1-20 are rejected under 35 USC 103(a) as obvious over Chimura (US 6,285,466) in view of Nakamura (US 4,999,716). Applicant respectfully traverses these rejections and has amended independent claims 1, 10 and 19 to clarify the distinctions of the present invention relative to Chimura and Nakamura.

As has been discussed at length in previous amendments and replies, the present invention provides a novel means for accommodating interruptions in facsimile communication. The novelty resides in a purposeful manipulation of the TCF signal to signal an error, when no error in fact exists, when a full page of image data has not yet been received and stored for transmission by gateway device 60B to facsimile machine 20B, i.e., when the image data is "less than a prescribed amount". Thus, while gateway device 60B is waiting to receive the image data, it sends out a TCF signal falsely indicating an error condition (i.e. a string including many ones, rather than zeros). On receiving this TCF signal, facsimile machine 20B believes there is a line error and is obliged to send out an FTT signal in response. Thus, by the mere process of sending a false TCF signal and receiving a reply, gateway device 60B effectively "buys time" waiting for a full page of image data without having to adjust (lower) transmission speed. This process is repeated until the full page of image data is received (see Fig. 4).

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Nakamura discloses that a source fax machine sets the bits of an NSS signal to indicate to the destination fax machine which of two types of FTT signals the destination fax machine should use. These bits have nothing to do with errors, and they are not preset to indicate that an error condition exists. Nakamura does disclose use of a TCF signal, however, it is used in a completely conventional manner. The TCF signal sent by the source machine comprises a predetermined number of zeros. There is no disclosure anywhere in Nakamura (or Chimura) that the TCF signal is purposely preset to indicate an error condition. It is conventionally set as a predetermined number of zeros which, if they make it to the destination unaltered, indicates that an error condition does not exist. The destination machine receives the TCF signal, counts how many zeros changed to ones, and thereby determines a bit error number. Nakamura uses this bit error number to determine an appropriate transmission speed (col. 8, lines 25-30). This is in contravention to applicant's specific purpose, which is knowing manipulation of the TCF signal to prevent a change in transmission speed.

In the Advisory Action mailed on June 2, 2006, the Examiner asserts:

...In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features on which applicant relies (i.e. manipulation of the TCF signal to prevent a change in transmission speed; TCF signal is purposely preset to indicate an error condition) are not recited in the rejected claims...

In response, applicant has amended independent claims 1, 10 and 19 to clearly recite these features that the Examiner alleges are missing from the claims. Claim 1, for example, is amended to recite the following features:

...a control unit...for appending an error data that is *purposely* preset to indicate that an error condition exists to a TCF signal and, in order to prevent a change in transmission speed, transmitting the error data together with the TCF signal, *instead of a standard TCF signal in*

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*which error data is preset to indicate that an error condition does not exist, to the second communication terminal device via the third communication network if an amount of the facsimile image data stored in the storage unit is smaller than a prescribed amount*

Thus, applicant's claims now explicitly specify that the TCF signal is manipulated (purposely preset to indicate that an error condition exists) to prevent a change in transmission speed. The claims also explicitly contrast this novel use of a TCF signal with conventional TCF signal usage, such as that disclosed by Nakamura and Chimura, where the data is preset to indicate that an error condition *does not exist*.

For these reasons, applicant respectfully traverses the rejections and submits that the final rejections of the claims should be withdrawn.

#### Conclusion

This application is allowable over the references of record. The Examiner is urged to telephone the undersigned to discuss any issues that remain after consideration of this response. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,  
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